

REMARKS

Independent claim 1 and, thus, the other claims remain rejected under 35 USC 102 for anticipation from the cited Arjavalasingam, et al. or Robertson, et al. publication by reference to the optical pulse repetition rate of 240 MHz and coherent-beacon generated radio frequency components between 0 and 150 GHz of the Arjavalasingam, et al. publication, whereby the GHz disclosure of the Robertson, et al. publication is relevant, too, and because claim 1 was not thought limited to the non-microwave radio frequency claimed. These rejections are traversed.

There is nothing in the specification that discloses or suggests microwaves, i.e., GHz, coherent-beacon generated radio frequencies. Also, there is nothing in the specification that discloses or suggests that the claimed coherent-beacon generated radio frequencies are pulse repetition rates of still-higher frequency optical pulses. The rejections thus import into the specification limitations it does not contain, which is a variety of hindsight, which is impermissible for a rejection.

In order to make this clearer, a paragraph of the original specification is amended above to define the MHz range of the claimed radio frequencies more clearly.

Clearly defining the claimed radio frequency range in the MHz range distinguishes over the rejections, because the Robertson, et al. publication only discloses GHz (microwave) frequencies and the Arjavalasingam, et al. publication, while disclosing a 0-150 GHz range, as noted in the Action, teaches away from the MHz radio frequencies previously and now more clearly claimed.

**PRIOR ART MUST BE CONSIDERED IN ITS
ENTIRETY, INCLUDING DISCLOSURES THAT
TEACH AWAY FROM THE CLAIMS MPEP 2141.03**
(emphasis original).

The Arjavalasingam, et al. publication discloses coherent-beacon generated radio frequencies in claimed the MHz range as noted in the Action, and also as claimed, but it also teaches right in the first (left) column of its first page:

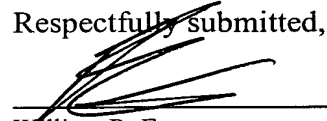
Transients contain components over a wide range of frequencies [0 and 150 GHz as noted in the Action] and are useful for spectroscopy applications from 15 to 130 GHz.

The publication thus teaches that the claimed coherent-beacon generated radio frequencies that are in MHz as defined in the specification are NOT useful. Therefore, the claimed invention is neither anticipated nor obvious from the GHz disclosures of the references.

That the Robertson, et al. publication discloses anything other than GHz frequencies is not even alleged in the Action. Its exclusive GHz disclosure is, therefore, NOT useful according to the only pertinent teaching of the references, which cannot anticipate or make the claimed invention for this reason.

Reconsideration and allowance are, therefore, requested.

Respectfully submitted,



William R. Evans
c/o Ladas & Parry LLP
26 West 61st Street
New York, New York 10023
Reg. No. 25858
Tel. No. (212) 708-1930